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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,890	04/21/2004	Patrick M. Baudisch	MSFT122369	5858

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EXAMINER	
ULRICH, NICHOLAS S	
ART UNIT	**PAPER NUMBER**
2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/828,890	BAUDISCH ET AL.	
	Examiner	Art Unit	
	Nicholas S. Ulrich	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9, 14-16, and 21-29* is/are rejected.

7)☐ Claim(s) *10-13, 17-20, and 30-33* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/27/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-33 are pending

2. The information disclosure statement (IDS) submitted on 8/27/2004 has been considered by the examiner.

Double Patenting

Claim 1 of this application conflicts with claim 1 of Application No. 10/829127. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

Specification

The disclosure is objected to because of the following informalities: Pg 11 line 16 should contain the application number 10/829127.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 14-16, and 21-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Robertson (US 5596347).

Similar to the current invention, Robertson is related to controlling the rate of a pointer once it crosses into a predetermined area.

In regard to claim 1, Robertson discloses a method for a computer device *(Column 3 lines 27-29)* with an operating system that includes a pointer for interacting with a graphical user interface *(Column 3 line 66 to Column 4 line 15)* and providing the ability to adjust the movement of the pointer once positioned in a predefined area *(Column 5 lines 9-18: as discussed by Robertson, control areas consist of user selectable options which vary from one application to another and perform some control function in the software running on the computer. It is understood from the disclosure of the application that alignment areas correspond to "grid point, handle, connection point,*

or any other area of the computer display capable of aligning GUI objects". It is understood that any one of these limitations could fall into the description of a control area within Robertson's invention because each perform some kind of control function within the application) of the graphical user interface where:

in response to receiving notice of a pointer movement event, obtaining the current and projected coordinate positions of the pointer *(Fig 4 elements 104, 106, 108 and 110)*;

determining if the pointer will intersect an alignment area during movement *(Column 9 lines 53-55)*;

if the pointer intersects an alignment area during movement, calculating an adjusted coordinate position for the pointer *(Column 11 lines 18-25)*; and

replacing the projected coordinate position of the pointer with the adjusted coordinate position *(Fig 6 and Column 12 lines 21-24)*.

In regard to claim 2, Robinson discloses the method further comprising communicating to the operating system of the computer device that the pointer will achieve an aligned coordinate position if the pointer intersects an alignment area *(Column 3 lines 33-34, Column 3 line 65 – Column 4 line 15, and Column 9 line 63 - Column 10 line 3: The system positions the cursor at the center of the predicted intended location. The pointer is now in a aligned coordinate position with the control area)*.

In regard to claim 3, Robinson discloses the method further comprising displaying the pointer on the display of the computer device at the adjusted coordinate position *(Fig 6: The cursor is displayed along the path of element 156)*.

In regard to claim 4, Robinson discloses the method wherein the current and projected coordinate positions of the pointer are obtained from the operating system of the computer device *(Column 3 line 66 – Column 4 line 15)*.

In regard to claim 5, Robinson discloses the method wherein determining if the pointer will intersect an alignment area includes:

identifying the coordinate positions on the display of the computer device occupied by an alignment area *(Column 5 lines11-13: The control list storage area stores locations of control areas)*; and

comparing the coordinate position occupied by the alignment area with the movement of the pointer from the current to the projected coordinate positions *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in the direction of movement of the pointer determines a projected change in the pointer. To determine which control areas are located within this projected movement the location of the control areas would have to be compared with the projected movement of the mouse)*.

In regard to claim 6, Robinson discloses the method wherein the alignment area that a pointer may intersect is aligned with an object displayed on a graphical user interface *(Fig 6: Element 152 is a control area that a pointer may intersect which is aligned with object 150).*

In regard to claim 7, Robinson discloses the method wherein calculating an adjusted coordinate position for the pointer includes:

calculating the coordinate position where the pointer intersects the alignment area *(Column 9 lines 51-66: The predicted intended location corresponds to the coordinate position where the pointer intersects a control area)*; and

for each directional component in the projected movement of the pointer from the current to the projected coordinate positions ("projected movement"):

determining the projected change in pointer location *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in the direction of movement of the pointer determines a projected change in the pointer)*;

determining an adjustment amount based on the attributes the alignment area *(Column 12 line 22: calculate the correction vector);* and

reducing the projected change in pointer location by said adjustment amount *(Column 12 lines 23-24).*

In regard to claim 8, the method wherein calculating the coordinate position where the pointer intersects an alignment area includes:

identifying the coordinate position occupied by the alignment area *(Column 5 lines11-13: The control list storage area stores locations of control areas);*

and comparing the coordinate position occupied by the alignment area with the projected movement of the pointer *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in the direction of movement of the pointer determines a projected change in the pointer. To determine which control areas are located within this projected movement the location of the control areas would have to be compared with the projected movement of the mouse).*

In regard to claim 9, the method wherein determining the projected change in pointer location includes:

calculating the projected movement of the pointer *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in the direction of movement of the pointer determines a projected change in the pointer);*

and expressing the projected movement of the pointer as a vector *(Fig 6 elements 30, 158 and 160: Element 30 represents the pointer, elements 158 and 160 combined are the projected vector for the location of the pointer).*

In regard to claim 14, Robertson discloses In a computer device *(Column 3 lines 27-29)* that maintains a graphical user interface *(Column 3 lines 32-33)* that includes a pointer *(Column 3 line 66 to Column 4 line 15)* and an alignment area *(Column 5 lines 9-18: as discussed by Robertson, control areas consist of user selectable options which vary from one application to another and perform some control function in the software running on the computer. It is understood from the disclosure of the application that alignment areas correspond to "grid point, handle, connection point, or any other area of the computer display capable of aligning GUI objects". It is understood that any one of these limitations could fall into the description of a control area within Robertson's invention because each perform some kind of control function within the application)*, a method of calculating an adjusted coordinate position where the pointer will intersect the alignment area in response to the pointer being moved to the alignment area comprising *(Fig 7)*:

(a) calculating the coordinate position where the pointer intersects the alignment area *(Column 9 lines 51-66: The predicted intended location corresponds to the coordinate position where the pointer intersects a control area)*;

(b) for each directional component in the projected movement of the pointer from the current to the projected coordinate positions ("projected movement"):

(i) determining the projected change in pointer location *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in the direction of movement of the pointer determines a projected change in the pointer)* ;

(ii) determining an adjustment amount based on the attributes of the alignment area *(Column 12 line 22: calculate the correction vector)*; and

(iii) reducing the projected change in pointer location by said adjustment amount *(Column 12 lines 23-24)*.

In regard to claim 15, Robertson discloses the method wherein calculating the coordinate position where the pointer intersects an alignment area includes:

(a) identifying the coordinate position occupied by the alignment area *(Column 5 lines11-13: The control list storage area stores locations of control areas)*;

and (b) comparing the coordinate position occupied by the alignment area with the projected movement of the pointer *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in the direction of movement of the pointer determines a projected change in the pointer. To determine which control areas are located within this projected movement the location of the control areas would have to be compared with the projected movement of the mouse)*.

In regard to claim 16, Robertson discloses the method wherein determining the projected change in pointer location includes:

(a) calculating the projected movement of the pointer *(Column 9 lines 51-66: By using the direction of the cursor movement, a scan through a predetermined angle in*

the direction of movement of the pointer determines a projected change in the pointer); and

(b) expressing the projected movement of the pointer as a vector *(Fig 6 elements 30, 158 and 160: Element 30 represents the pointer, elements 158 and 160 combined are the projected vector for the location of the pointer).*

Computer readable medium claims 21-29 correspond generally to method claims 1-9, respectively, and recite similar features in software form, and therefore are rejected under the same rationale.

Allowable Subject Matter

Claims 10-13, 17-20, and 30-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas Ulrich
2173
2/14/2007

TADESSE HAILU
Patent Examiner